

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 503 of 1997

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 to 5 : NO

PANKAJ JASHWANT SHETH

Versus

STATE OF GUJARAT

Appearance:

MR AD SHAH for Petitioner

MR SP DAVE APP for Respondent No. 1

MR YS LAKHANI for Respondent No. 2, 3, 4, 5, 6, 7, 8

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 13/07/98

ORAL JUDGEMENT

Rule returnable today. Mr. S.P Dave, the learned APP and learned advocate Mr. Y.S Lakhani appear and waive service of rule on behalf of Respondent No.1 and nos. 2 to 8 respectively. On the facts and in the

circumstances of the case, the impugned order dated 20th August, 1997 made by the learned Metropolitan Magistrate, Court No. 15, Ahmedabad is quashed and set-aside. The petitioner complainant be permitted to examine its witness Shri R.N Jain before framing of charge on condition that petitioner shall examine said Shri R.N Jain on the date that may be fixed by the learned Metropolitan Magistrate for such examination without seeking adjournment. Petition is allowed to the aforesaid extent. Rule is made absolute. There shall be no order as to costs.

Prakash*